G. R. S. III—1] 1919-20

GENERAL AND REVENUE SECRETARIAT.

(C.B.)

NOTES.

File No. 210-19

FILE HEADING.

Representation of Mr. M. Venkatarnappa, Asst Commr: in regard to his confirmation from an earlier date stated.

From

The Comptroller, Mysore Govt

No. 1610 Dated 27-3-1920 Received 29th March 1920

Diary No.	1025	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Fds for favourable consideration a further representation from Mr. M. Venkatanarnappa requesting under the circumstances stated that his confirmation may take effect from 10th Febr 1917 and that he may be restored to his original rank among the officers appointed with him.

NOTES AND ORDERS.

A copy of the same representation presented to the Dewan is also put up. Ch: see orders on it: — C.B. for a note —

Mr. Venkatanarnappa in his first representation made in an interview with the Hon'ble Dewan complained of supersession by his four juniors in consequence of his confirmation having been postponed to the date on which he passed the last of the ~~qualifying~~ prescribed tests. The matter was considered in council

NOTES—First Sheet.

G. R. S. III-2]

General and Revenue Secretariat. CB. File No. 210 of 1919.

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Flag Z

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Para 5 of Flag G

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Flag M

whether his case might be brought under the new rule in G.O. of 25th June 1919. The Council were not in favour of giving retrospective effect to this order & Mr. V. was accordingly informed of it.

2 Thereupon he sent a second representation stating that he did not ask for the benefit of G.O. of 25th June 1919 but that he wanted the principle referred to in G.O. No. 2951-9 R 958 of 9th Oct 1900 being applied in his case. This principle was specifically modified in G.O. No. 5105-52 Gen. 25-10-32 of 7th March 1911. So neither the benefit of the new rule nor of the principle referred to could be shewn to him. Vide reply to the Comptroller.

3. He now submits a 3rd representation in which he states that the G.O. of 25th June 1919 has been applied retrospectively in the case of Mr. Abdul Khader appointed to the Civil service by nomination in Febr 191 ~~Mr V having been recruited to it (by Competition) in 1914~~ & requests that it may also be extended to him. ~~but~~ On the other hand a concession has been shewn to Mr. Abdul Khader on general merits and equity, he may also be shewn similar concession. In support of his prayer he further states that the equitable rule regarding confirmation consequent on passing Exs in the years of grace - passed in Oct 1900 - was given retrospective effect & that the rule for officers of 1918 - applied in the case of an officer of 1916 (i.e. Mr. Abdul Khader) has not been made applicable to him who is an officer of 1914 batch.

Submit for orders.

NOTE—Coptn. sheet.

Received 19-4-20 Sec.

7/4/1920

G. R. S. 12]

General and Revenue Secretariat. | CB. File No. 210 of 1919.-

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This is a case that was disposed of nearly 3½ years ago after a full consideration of all the facts and it is obviously inexpedient to reopen it now. In case there it will be the occasion for the cases of Messrs V. Shamanna, B. T Krishnaiyer & being reopened. Recently the Govt have decided to enforce the rule strictly in the case of Mr B.S. Raghavendra Rao also. Hence the case mentioned above was however heated differently. The case was heading a very special one, in view that Govt having kept in charge of D.S.P's duties, which stood a probation.

Mr Venkatramanappa might be informed that the matter cannot be once reopened

(C.M. Dewan) 19.4.21

(This file is put up in that relating to the Confirmation of Mr. B.S Raghavendra Rao & others

Flag V

DEWAN'S OFFICE.
Recd. on APR 20 1921
Reg. No. 6584.

22.4.21

Draft reply subs

Issued 26/4

NOTE—Contn. sheet.

GPB—20,000—30-6-15

1025

G. R. S. 12]

General and Revenue Secretariat. | C13 File No. 210 of 1919.

Serial No.	
2	To the Comptroller, Mysore Govt No. 1928 dy 27.4.1921 States that Govt regret that ~~this~~ in regard to Mr. Venkatesamarnappa's representation earth at the date of his confirmation & rank, the matter cannot be reopened

P3

NOTE—Contn. sheet.

GPB—20,000—30-6-15

CB 210-19-1.

CB 1028

HPB 29/3/20

Please address all future communications to the Comptroller to the Govt. of H. H. the Maharaja of Mysore.
In reply to this Comm. please refer to
No. 1610/K 9/1

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

26253

Dated, Bangalore, the 27th March 1920.

CB

FROM

T. Satyaraj Chetty, Esq., B. A.,

~~XXXX

To

C. S. Balasundaram Iyer, Esq., B. A.,

Chief Secretary to the Government of H.H. the

Maharaja of Mysore, B a n g a l o r e.

Through

The Comptroller

to the Government of H. H. the Maharaja

of Mysore, B a n g a l o r e.

S i r,

Plaint

Adverting to letter No. 894-99-18-10 CB. dated 29th December 1919 from the Chief Secretary to Government communicating the orders of Government on my representation regarding my confirmation, I beg I may be permitted to make a further representation in the matter.

Government have ordered that retrospective effect cannot be given in my case to the rule as modified in G.O. No. 1666-1709 C.B. 13-18-75 dated 25th June 1919. But I beg to submit that retrospective effect has been given to this rule by Government in the case of Mr. Abdul Khader. The G.O. of June 1919 specifically states that the rule applies to the probationary Assistant Commissioners commencing with "the present batch" and Mr. Abdul Khader does not belong to this batch but to an earlier one. Officers who were appointed probationary Assistant Commissioners along with Mr. Abdul Khader were confirmed with effect from 16-2-1919 when this order was not in force. Possibly the retrospective character of the order has been obscured by the fact that the question of Mr. Abdul Khader's confirmation and the introduction of this new rule were under the consideration of Government at about the same time; but I venture to submit that this does not alter the fact that the principle has been given retrospective effect to and I request that the same

Orders had been passed in Mr. Abdul Khadder's case (citing 1914) long before the present question he came up for decision (June 19)

same benefit may be given in my case.

If on the other hand the case of Mr. Abdul Khader has been decided without reference to this order but on general merits and on consideration of equity, I submit that they apply with equal force in my case. Mr. Abdul Khader and I were appointed under the same rules though in different years and during the period of probation we had passed all tests but one--Accounts in his case and Civil Part I in mine--which we passed at the next opportunity.

In conclusion I beg to represent that the equitable principle enunciated in G.O. No. 2951-9/R. 958 dated 9th October 1900 was given retrospective effect to and thus applied to all officers of the Civil Service appointed from 1892 to 1910. A new order on the same lines has now been issued which will apply to the officers appointed in 1918 and this has been applied in the case of an officer of the 1916 batch. It is thus only the officers appointed in 1914--and I am one of them--in whose case this principle does not apply.

I request that Government will kindly take these circumstances into consideration and order that my confirmation may take effect from 10th February 1917 and that I may be restored to my original rank among the officers appointed with me.

I have the honour to be,

S i r,

Your most obedient servant,

B a n g a l o r e.

27th March 1920.

27.3.20
Comptroller
Mr. Venkatachar

HPB
3/7/20

Interview slip no. 07
29/3/20

To.

The Chief Secretary

to the Government of H. H. the Maharaja

of Mysore, Bangalore.

To the Chief secretary
with compliments.

Through

The Comptroller

to the Government of H. H. the Maharaja

of Mysore, Bangalore.

27/3/20

CB for
note

Sir,

Adverting to letter No. 894-99-18-10 dated 29th December 1919 from the Chief Secretary to Government communicating the orders of Government on my representation regarding my confirmation I beg I may be permitted to make a further representation in the matter.

Government have ordered that retrospective effect cannot be given in my case to the rule as modified in G.O. No. 1666-1709 C.B. 13-18-75 dated 25th June 1919. But I beg to submit that retrospective effect has been given to this rule by Government in the case of Mr. Abdul Khader. The G. O. of June 1919 specifically states that the rule applies to the probationary Assistant Commissioners commencing with the present batch and Mr. Abdul Khader does not belong to this batch but to an earlier one. Officers who were appointed probationary Assistant Commissioners along with Mr. Abdul Khader were confirmed with effect from 16-2-1919 when this order was not in force. Possibly the retrospective character of the order has been obscured by the fact that the question of Mr. Abdul Khader's confirmation and the introduction of this new rule were under the consideration of Government at about the same time; but I venture to submit that this does not alter the fact that

that the principle has been given retrospective effect to and I request that the same benefit may be given in my case.

If on the other hand the case of Mr. Abdul Khader has been decided without reference to this order but on general merits and on considerations of equity, I submit that they apply with equal force in my case. Mr. Abdul Khader and I were appointed under the same rules though in different years and during the period of probation we had passed all tests but one - Accounts in his case and Civil Part I in mine which we passed at the next opportunity.

In conclusion I beg to represent that the equitable principle enunciated in G. O. No. 2951-9/R. 958 dated 9th October 1900 was given retrospective effect to and thus applied to all officers of the Civil Service appointed from 1892 to 1910. A new order on the same lines has now been issued which will apply to the officers appointed in 1918 and it has been applied in the case of an officer of the 1916 batch. It is thus only the officers appointed in 1914-- and I am one of them--in whose case this principle does not apply.

I request that Government will kindly take these circumstances into consideration and order that my confirmation may take effect from 10th February 1917 and that I may be restored to my original rank among the officers appointed with me.

I have the honour to be,

S i r,

Your most obedient servant,

B a n g a l o r e.

26th March 1920.

M Venkatanarayanappa

G. R. S. IX-5]

Previous references.

CB 99-18 & 9&10

1920-21

(CB)

File No. CB 210-19

Serial Nos. 1-2

Later references.

CB. 135-21-142 (Confdl)

CB 52-22-142

CB 92-22-3

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B for May 1921

SUBJECT.

Representation of Mr. M Venkatanarayanappa Asst Comm re his confirmation.

To - Comptr. No 1928 dated 27-4-1921.

States that Govt regret re ~~his~~ confirmation & rank of the said officer cannot be reopened.

SR

4/5/1

WD 2288—GPE—20,000—14-6-20

G. R. S. VI—G/32]

SUBJECT.....

ISSUED.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT

( )

the *191* .

Date of issue 27/4/21

Signed by.. Mr. K. Matthan

Section CB

File No. 210-19

Serial No.

No. 1928/CB

Dt 27.4.21

To

The Comptroller,

Mysore Govt

Sir,

With reference to your letter no. 1611 dt 27-3-1920 forwarding for favourable consideration a further representation of Mr M. Venkatanarasiya Asstt Accountant regesting that retrospective effect may be given to his confirmation & his relative rank restored I am directed to state that ~~orders declining his prayer communicated in Mys~~ letter no D 94 & 29 Dec 1919 ~~are applicable to~~ CB 99-8-10 ~~Cost~~ over. ~~Mr Venkatanarasiya has already been~~ ~~informed by Govt to that~~

that Govt regret that the matter

cannot be reopened -

I have &c.

(s)

Offg Ch: Secy

25/4/21

List of enclosures.

Copied by

Examined by

WD 1744—GPB—8,000—19-3-19